

Order

**Supreme Court
Lansing, Michigan**

September 21, 2005

Clifford W. Taylor,
Chief Justice

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

121565
121566

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

ERNEST MOORE,
Defendant-Appellant.

SC: 121565, 121566
COA: 239676, 239677
Wayne CC: 99-003083
99-010376

By order of November 4, 2004, the applications for leave to appeal were held in abeyance pending the decision in *People v Hendrick* (Docket No. 126371). On order of the Court, the opinion having been issued on June 14, 2005, 472 Mich 555 (2005), the applications are again considered, and, pursuant to MCR 7.302(G)(1), in lieu of granting leave to appeal, we VACATE the sentences of the Wayne Circuit Court and REMAND to that court for resentencing in light of *Hendrick* and *People v Babcock*, 469 Mich 247 (2003).



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I, CORBIN R. DAVIS, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

September 21, 2005

Corbin R. Davis

Clerk